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1614

CASE 4-30724A

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January 5, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

KRIWET ET AL.

Examiner: Vickie Kim

APPLICATION NO: 09/871,367

FILED: MAY 31, 2001

FOR: TOPICAL COMPOSITIONS COMPRISING ASCOMYCINS

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

The Notice of Non-Compliant Amendment (37 CFR 1.121) dated December 11, 2003 (a copy of which is enclosed) has a shortened statutory time set to expire on January 11, 2004.

In response, applicants now submit a corrected Response to Office Action with the marked-up version of the amended paragraphs corrected.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 430
East Hanover, NJ 07936-1080
(862) 778-7809
Date: 1-5-04

D. Gabrielle Brouillette
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Agent for Applicants
Reg. No. 51,384



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AMENDMENT

Sir:

This response is being filed in response to the Office Action dated July 30, 2003, the 3-month response date of October 30, 2003 having been extended by one (1) month to November 30, 2003 by a Petition for Extension of Time filed concurrently herewith.

In response to the Office Action mailed July 30, 2003, the following amendment is submitted.

Amendments to the claims are found in the listing of the claims beginning on page 2 of this document.

Remarks/Comments are found beginning on page 6 of this document.